

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RASHAN-I: SAVAGE

Plaintiff

v.

LEDERER *et al.*,

Defendants

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:
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CIVIL ACTION

NO. 19-1114

ORDER

AND NOW, this 20th day of March, 2019, upon consideration of Plaintiff Rashan-I: Savage's Motion to Proceed *In Forma Pauperis* (ECF No. 1) and his *pro se* Complaint (ECF No. 2), it is hereby **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED**.
2. Savage, #845494, shall pay the full filing fee of \$350.00 in installments, pursuant to 28 U.S.C. § 1915(b).
3. The Clerk of Court is **DIRECTED** to send a copy of this Order to the Warden of the Curran Fromhold Correctional Facility.
4. Based on the financial information provided by Savage, he is not assessed an initial partial filing fee. In each month when the amount in Savage's inmate trust fund account exceeds \$10.00, the Warden or other appropriate official at Curran Fromhold Correctional Facility, or at any other prison at which Savage may be incarcerated, is directed, to forward payments to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106, to be credited to Civil Action No. 19-1114, equaling 20% of the preceding month's income credited to Savage's inmate trust fund account until the fees are paid. Each payment shall reference the docket number for Civil Action No. 19-1114.
5. The Complaint is **DEEMED** filed.

6. The Complaint is **DISMISSED without prejudice** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for the reasons stated in the Court's Memorandum as to Defendants Transit Police Officer Sean Camburn, Transit Police Officer Rooney, and the City of Philadelphia. The Complaint is **DISMISSED with prejudice** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for the reasons stated in the Court's Memorandum as to Defendants (Assistant District Attorney) Lederer, (ADA) Kolleen McMullen, (ADA) Jarek Krajewski, (ADA) Jordon Foley, (Major of C.F.C.F.) Hatcher and (Warden of C.F.C.F.) Delaney.

7. Savage is given leave to file an amended complaint within thirty (30) days of the Date of this Order in the event that he can state plausible claims that cure the defects noted in the Court's Memorandum. Any amended complaint shall be a complete document that identifies all of the defendants in the caption in addition to the body and shall describe in detail the basis for Savage's claims against each defendant. Upon the filing of an amended complaint, the Clerk of Court shall not make service until so **ORDERED** by the Court.

8. The Clerk of Court is **DIRECTED** to provide Savage with a blank copy of this Court's current form complaint for a plaintiff filing a prisoner civil rights action. Savage may use this form to file his amended complaint.

9. If Savage fails to file an amended complaint, his case may be dismissed for failure to prosecute without further notice.

BY THE COURT:

/s/ Nitza I. Quiñones Alejandro

NITZA I. QUIÑONES ALEJANDRO

Judge, United States District Court